

Message Text

UNCLASSIFIED

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ACTION OES-06

INFO OCT-01 EA-09 ISO-00 FEA-01 AID-05 CEQ-01 CIAE-00
ERDA-07 COME-00 DODE-00 EB-08 EPA-04 INR-07 IO-13
L-03 NSF-02 NSC-05 NSAE-00 PM-04 USIA-15 SS-15 SP-02
INT-05 OMB-01 TRSE-00 PA-02 PRS-01 /117 W
-----160313Z 049993 /63

R 160141Z MAR 77
FM AMEMBASSY TOKYO
TO SECSTATE WASHDC 6158

UNCLAS SECTION 1 OF 2 TOKYO 3641

FOR OES/ENP/EN

DEPT PASS TO EPA & CEQ

E.O. 11652: N/A
TAGS: SENV, JA
SUBJECT: ENVIRONMENTAL IMPACT ASSESSMENT SYSTEM

1. ENVIRONMENT AGENCY HAS BEEN WORKING VERY HARD ON ENVIRONMENTAL IMPACT ASSESSMENT SYSTEM WITH VIEW TO INTRODUCING RELATED BILL IN CURRENT DIET SESSION. JUDGING FROM DIET STATEMENTS BY EA DIRECTOR-GENERAL SHINTARO ISHIHARA AND OTHER CABINET MEMBERS, EA'S CONSULTATIONS WITH OTHER MINISTRIES CONCERNED HAVE BEEN COMPLETED, EXCEPT FOR INTERNATIONAL TRADE AND INDUSTRY MINISTRY (MITI). LAST HURDLE THAT REMAINS TO BE JUMPED IS COORDINATION WITH MITI, WHICH IS REPORTED TO BE OF THE VIEW THAT IT IS PREMATURE AND UNREALISTIC TO MAKE A LAW IN THE ABSENCE OF METHOD FOR IMPACT FORECASTING AND CRITERIA FOR ASSESSMENT. ACCORDING TO MITI, A MORE REALISTIC WAY WOULD BE TO INSTITUTIONALIZE RATHER THAN TO LEGISLATE THE PROPOSED SYSTEM SO THAT IT CAN ACTUALLY BE APPLIED TO PUBLIC OR LICENSED PROJECTS WHILE EFFORTS ARE MADE TO DEVELOP METHODS OF PREDICTION AND ESTABLISH CRITERIA FOR ASSESSMENT. MITI'S ATTITUDE ON THE PROPOSED IMPACT ASSESSMENT SYSTEM REPRESENTS CONSENSUS OF JAPANESE INDUSTRY WHICH FEARS THAT THE PROPOSED

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SYSTEM, WHEN LEGISLATED, MAY HAMPER ECONOMIC GROWTH.

2. AN EA SURVEY ON PUBLIC REACTIONS TO THE PROPOSED SYSTEM SHOWED THAT 78 PER CENT OF 500 ENVIRONMENTAL MONITORS THROUGHOUT JAPAN RECOGNIZED THE NECESSITY FOR ASSESSMENT; 73 PER CENT SUPPORTED EARLY ESTABLISHMENT OF SYSTEM EVEN WITH CURRENTLY AVAILABLE AND FEASIBLE METHODS; AND 85 PERCENT DID NOT FORESEE

ANY CONFUSION RESULTING FROM PARTICIPATION OF GENERAL PUBLIC IN
IMPACT ASSESSMENT, THROUGH PUBLIC HEARINGS.

3. EVEN EA DIRECTOR-GENERAL ISHIHARA WHO AT FIRST HELD A DIM
VIEW OF THE PROPOSED SYSTEM (SEE TOKYO 1687), HAS BEEN
"BRAINWASHED" BY HIS SUBORDINATES INTO SUPPORTING AGENCY EFFORT
TO HAVE SYSTEM LEGISLATED AT EARLIEST DATE.

4. FOLLOWING IS GIST OF EA-DRAFTED BILL ON IMPACT ASSESSMENT
MADE PUBLIC FEB. 18:

(PROJECTS COVERED)--ROADS, DAMS, RAILWAYS, AIRPORTS, UTILITIES,
URBAN DEVELOPMENT, RECLAMATION, PORTS AND HARBORS AND OTHER
SUCH PROJECTS LARGER IN SCALE THAN PRESCRIBED IN CONSIDERATION
OF THEIR IMPACT ON PREVENTION OF POLLUTION AND PRESEVATION OF
NATURAL ENVIRONMENT.

(PREPARATION OF PREPARATORY STATEMENT FOR IMPACT
ASSESSMENT)--THE ENTREPRENEUR SHALL PREDICT AND ASSESS IMPACT
TO BE EXERTED ON ENVIRONMENT BY HIS DEVELOPMENT PROJECT WHEN
UNDERTAKEN AND PREPARE PREPARATORY STATEMENT FOR IMPACT ASSESSMENT.

(GUIDELINES ON IMPAC ASSESSMENT)--THE DIRECTOR-GENERAL OF THE
ENVIRONMENT AGENCY SHALL PROVIDE FOR AND MAKE PUBLIC REQUIREMENTS
WHICH WILL SERVE AS GUIDELINES FOR PREDICTION AND ASSESSMENT OF
IMPACT ON ENVIRONMENT.

(PUBLIC NOTICE OF PREPARATION OF PREPARATORY STATEMENT)--THE
ENTREPRENEUR SHALL GIVE PUBLIC NOTICE OF AVAILABILITY OF THE
PREPARATORY STATMENT AND SUBMIT IT TO PUBLIC INSPECTION FOR A
SPECIFIED PERIOD OF TIME.

(DISSEMINATION OF PREPARATORY STATEMENT)--THE ENTREPRENEUR SHALL
LISTEN TO POINIONS OF THE PREFECTURAL GOVERNOR DURING THE TIME IN
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WHICH THE PREPARATORY STATEMENT WAS SUBMITTED TO PUBLIC INSPECTION
AND TRY TO DISSEMINATE ITS CONTENTS THROUGH BRIEFING SESSIONS,
ETC.

(PRESENTATION OF WRITTEN OPINIONS)--A PERSON WHO HOLDS OPINIONS
FROM THE STANDPOINT OF PREVENTION OF POLLUTION AND PRESERVATION OF
NATURAL ENVIRONMENT MAY SUBMIT WRITTEN OPINION TO THE ENTREPRENEUR
WITHIN A SPECIFIED PERIOD FROM THE DAY WHEN PERIOD FOR PUBLIC
INSPECTION OF THE PREPARATORY STATEMENT EXPIRES.

(PUBLIC HEARING)--THE ENTREPRENEUR SHALL HEAR THE OPINIONS OF
THE PREFECTURAL GOVERNOR AND WHEN DEEMED NECESSAR SHALL HOLD
A PUBLIC HEARING AFTE THE DAY WHEN THE DEADLINE FOR SUBMISSION
OF THE WRITTEN OPINIONS EXPIRES.

(OPINIONS OF ENVIRONMENT AGENCY DIRECTOR-GENERAL)--THE
ENTERPRENEUR SHALL ASK FOR OPINIONS OF THE DIRECTOR-GENERAL
ENVIRONMENT AGENCY, THE PREFECTURAL GOVERNOR CONCERNED, AND THE
HEAD OF THE CITY, TOWN OR VILLAGE CONCERNED. IN DOING SO, HE
SHALL SUBMIT THE WRITTEN OPINIONS AND THE OPINIONS OF THE
PUBLIC HEARING.

(PREPARATION OF IMPACT ASSESSMENT STATEMENT)--THE ENTREPRENEUR

SHALL TAKE SUCH STEPS AS PREPARATION, ANNOUNCEMENT, AND SUBMISSION
TO PUBLIC INSPECTION OF THE IMPACT ASSESSMENT STATEMENT IN
CONSIDERATION OF THE OPINIONS STATED TOWARD THE PREPARATORY
STATEMENT.

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FM AMEMBASSY TOKYO
TO SECSTATE WASHDC 6159

UNCLAS SECTION 2 OF 2 TOKYO 3641

(RESPECT FOR ASSESSMENT STATEMENT)--THE ENTREPRENEUR SHALL
RESPECT THE CONTENTS OF THE IMPACT ASSESSMENT STATEMENT WHEN
CARRYING OUT OR DECIDING ON A DEVELOPMENT PROJECT.

(RESTRICTION OF DEVELOPMENT PROJECT)--THE ENTREPRENEUR SHALL
NOT DECIDE ON DEVELOPMENT PROJECT UNTIL THE DAY WHEN THE PERIOD
FOR PUBLIC INSPECTION OF THE IMPACT ASSESSMENT STATEMENT EXPIRES.

(IMPACT ASSESSMENT OF LICENSED PROJECTS)--THE SAME PROCEDURES
SHALL BE FOLLOWED FOR DEVELOPMENT PROJECTS REQUIRING LICENSE.

(DESIGNATED PROGRAMS)--THE DIRECTOR-GENERAL OF THE ENVIRONMENT
AGENCY SHALL DESIGNATE THOSE PROGRAMS FOR REGIONAL DEVELOPMENT
INVOLVING INDUSTRIAL LOCATION AND URBAN FACILITIES CONSTRUCTION
WHICH MAY GREATLY AFFECT POLLUTION CONTROL OR NATURE CONSERVATION,
AND HAVE SIMILAR PROCEDURES FOR IMPACT ASSESSMENT FOLLOWED.

(SHARING OF EXPENSES)--THE COST OF IMPACT ASSESSMENT SHALL BE
BORNE BY THE ENTREPRENEUR.

(RELATIONSHIP WITH PREFECTURAL ORDINANCES)--LOCAL PUBLIC
ENTITIES MAY STIPULATE NECESSARY PROVISIONS IN THEIR ORDINANCES
WITH RESPECT TO THE IMPACT ASSESSMENT SYSTEM OF THE CENTRAL
GOVERNMENT.

(OBLIGATIONS FOR PREDICTION AND ASSESSMENT)--EVEN FOR PROJECTS
OUTSIDE THE SCOPE OF APPLICATION OF THIS SYSTEM EFFORTS SHALL BE
MADE BY ENTREPRENEURS TO PREDICT AND ASSESS THEIR IMPACT ON THE
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ENVIRONMENT ACCORDING TO THEIR EXPTVENT AND SUBSTANCE.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
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Disposition Comment:
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Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3090837
Secure: OPEN
Status: NATIVE
Subject: ENVIRONMENTAL IMPACT ASSESSMENT SYSTEM
TAGS: SENV, JA
To: STATE
Type: TE
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